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Application granted in part. Defendants' deadline to answer or move with respect to the amended complaint was 12/21/2020 (Doc. 30), and no requests to extend that time were made or granted. However, the Court extends Defendants' time, *nunc pro tunc*, to answer or otherwise move with respect to the amended complaint to 1/28/2021. The parties are reminded to review and comply with my Individual Practices. The Court will generally not grant any requests to stay discovery. The initial conference scheduled for 1/25/2021 is adjourned to 2/22/2021 at 10:00 a.m.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
January 22, 2021

VIA ECF

Honorable Philip M. Halpern, U.S.
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, NY 10007

Re: Ruffin v. Kirschenbaum & Phillips, P.C., et al.
Case No. 7:20-cv-5422 (PMH)

Dear Judge Halpern:

This firm represents defendant Kirschenbaum & Phillips, P.C. ("K&P") in the above matter. We write on behalf of all parties to respectfully request that the Initial Case Management and Scheduling currently scheduled for January 25, 2021 at 9:30 AM be adjourned to February 8 or 9 (at any time of day) or to the morning of February 18, 2021.

There have been no prior adjournments of the conference. This adjournment is being requested because the parties have exchanged pre-motion letters regarding proposed motions by both sets of defendants to dismiss Plaintiff's First Amended Complaint (ECF Doc. 33) in its entirety,¹ and both K&P and co-defendants LVNV Funding, LLC, Resurgent Capital Services Limited Partnership and Sherman Financial Group LLC (collectively, "Defendants") will be filing their pre-motion letters with the Court next Thursday, January 28, 2021. Plaintiff will file his responsive letters by February 4, 2021.


Inasmuch as Defendants are seeking a stay of discovery pending the determination of the proposed motions, which Plaintiff opposes, all parties agree that it would be most efficient to at least postpone the Initial Conference until after the Court has the pre-motion submissions in hand -- or to hold the pre-motion conference and Initial Conference simultaneously on any of the February dates set forth above.²

¹ The parties previously exchanged pre-motion letters in connection with Plaintiff's original Complaint, which Plaintiff elected to amend. (See ECF Docs. 29, 31).

² The proposed dates represent the dates and times that all counsel are available through February 19, 2021.

We thank the Court for its consideration.

Respectfully submitted,
Kaufman Dolowich & Voluck, LLP

By: 
Adam M. Marshall, Esq.

cc: All Counsel via ECF